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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/674,079   | 10/25/2000  | Jerome Meric         | 11345.027001        | 1560             |
| 22511  | 7590        | 01/11/2006           | EXAMINER            |                  |
| OSHA LIANG L.L.P.<br>1221 MCKINNEY STREET<br>SUITE 2800<br>HOUSTON, TX 77010 |             |                      | TRAN, HAI V         |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 2611                |                  |

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                 |              |  |
|------------------------------|-----------------|--------------|--|
| <b>Office Action Summary</b> | Application No. | Applicant(s) |  |
|                              | 09/674,079      | MERIC ET AL. |  |
|                              | Examiner        | Art Unit     |  |
|                              | Hai Tran        | 2611         |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2005.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) 1-19, 27 and 40 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 20-26, 28-39 and 41-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/19/2005 has been entered.

### ***Response to Arguments***

Applicant's arguments filed 10/27/2005 have been fully considered but they are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 20-26, 28-39, 41-43 are rejected under 35 U.S.C. 102(b) as being unpatentable by Chee (EP0802519 A1).

Claim 20, Chee discloses a method of processing video data in a receiver/decoder comprising

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Designating a 1<sup>st</sup> buffer sub-area as a display buffer (2005; Fig. 20);

Designating a 2<sup>nd</sup> buffer sub-area as a working buffer (1960; Fig. 20);

Storing subtitle data in the working buffer (overlay data 2062,2064,2066,2068 stores in 1960);

Storing graphics data in the 3<sup>rd</sup> buffer sub-area ("background data" 1962; Fig. 20 and page 12, lines 36-40; page 13, lines 11-15); and

Copying the graphic data from the 3<sup>rd</sup> buffer sub-area into the working buffer to obtain a complete subtitle page (page 12, lines 22-30);

Interchanging roles of the working buffer and the display buffer (page 12, lines 54-page 13, lines 2); and

Displaying the complete subtitle page, wherein the graphic data is copied into the working buffer just before the working buffer become the display buffer (page 13, lines 28),

Wherein the complete subtitle page comprises both the subtitle data and the graphic data (see Fig. 20, el. 1960 comprises a complete subtitle page with el. 1062, as graphic data and 2062,2064,2066,208 as overlay data), and

Wherein the 1<sup>st</sup> buffer sub-area, the 2<sup>nd</sup> buffer sub-area, and the 3<sup>rd</sup> buffer sub-area are located in a graphic buffer region (see Fig. 20).

Claim 21, wherein the 3<sup>rd</sup> buffer sub-area comprises a plurality of icon buffer sub-areas (page 6, lines 31-33; FIFO pipeline 2104 page 13, lines 4-10; "background display data" stores in queue of the FIFO memory);

Claim 22, wherein the graphics data is stored in any one of the plurality of icon buffer sub-area (FIFO pipeline 2104 page 13, lines 4-10; "background display data" stores in queue of the FIFO memory);

Claim 23, wherein interchanging roles of the working buffer and the display buffer occurs at a specific time interval (reads on when the complete drawing process is done in the working area; i.e. 1<sup>st</sup> area of memory, the system swap memory location between the 1<sup>st</sup> and 2<sup>nd</sup> memory; see page 12, lines 57-59).

Claim 24, wherein the specific time interval is in the range of 5-10sec (see Fig. 27 with various time line; page 16, lines 55-page 17, lines 8);

Claim 25, wherein displaying the complete subtitle page comprises displaying graphics data over the subtitle data for overlapping portions of graphics data and subtitle data (see Fig. 19);

Claim 26, wherein displaying the complete subtitle page comprises displaying non-overlapping portions of graphics data and subtitle data concurrently (see Fig. 20);

Claim 28, wherein other received data to be displayed as the complete subtitle page is copied into the working buffer immediately after copying the graphics data into the working buffer (page 12, lines 55-page 13, lines 2).

Claim 29, wherein the complete subtitle page comprises a graphics layer comprising the graphic data and the subtitle data (both graphic text and video pixel data ), a still data layer(graphic pixel data/background), a moving image data layer

(video pixel data) and a cursor data layer (mouse) (see Fig. 3, 4 and 7; page 5, lines 55-page 6, lines 20; page 8, lines 20-55);

Claim 30, wherein the moving image data layer and the subtitle data comprise at least part of an MPEG data stream (page 12, lines 20-21);

Claim 31, wherein the graphic data comprise icon data (page 6, lines 31-33)

Claim 32 is analyzed with respect to method claim 20.

Claim 33 is analyzed with respect to method claim 21.

Claim 34 is analyzed with respect to method claim 22.

Claim 35 is analyzed with respect to method claim 23.

Claim 36 is analyzed with respect to method claim 24.

Claim 37 is analyzed with respect to method claim 31.

Claim 38 is analyzed with respect to method claim 25.

Claim 39 is analyzed with respect to method claim 26.

Claim 41 is analyzed with respect to method claim 28.

Claim 42 is analyzed with respect to method claim 29.

Claim 43 is analyzed with respect to method claim 20 in which Chee further discloses a broadcast (fig.3, el. 18) and a reception system (el. 14) and means for broadcasting the data (see Fig. 4, el. 36 which broadcast signal el. 14 through cable 16).

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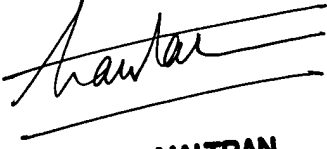
**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai Tran whose telephone number is (571) 272-7305. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher C. Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HT:ht  
12/29/2005

  
**HAITRAN  
PRIMARY EXAMINER**